

Serial No. 10/712,646
Tell et al
Case No. CE10835R

BEST AVAILABLE COPY**REMARKS**

Reconsideration of the above-referenced application is respectfully requested in view of the above amendments and these remarks. Claims 1-5, 7, 9-16 and 19-21 are currently pending.

According to the Final Office Action, claims 1-3, 5-10, 12-14 and 16-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,796,729 to Greaney et al. in view of United States Patent Application Publication No. 2003/02127641 A1 to Trossen et al. Applicants have considered the comments in the Final Office Action and the cited references. In response, Applicants amend claims 1 to incorporate the limitations of claims 6 and 8 and amend claim 12 to incorporate the limitations of claims 17 and 18. Applicants respectively traverse the rejection.

The present invention is directed to the method and apparatus that routes calls between a wireless local area network (LAN), a local loop and a WAN when calls are received by a gateway. The gateway includes a controller that is configured to support and control the gateway's functionality. When the wireless LAN transceiver receives a call from a wireless communication unit via a wireless LAN session, a local loop call request is initiated to a public switched telephone network and receives an indication of call ringing, call answer or busy. The controller monitors the local loop to determine if it is busy. When a busy condition of the local loop is detected, the controller initiates a WAN call request via the WAN and receives from the WAN a status message of ringing, busy or answer, which is then passed onto the wireless communication unit. With respect to amended claim 12, the method is to control call routing via a selected network where the selected network is among at least a local loop or a wireless WAN. When a call request from a wireless communication unit is received, the local loop is monitored for a busy condition. When the busy condition is not detected, the call is sent via the local loop and a busy condition is designated. When the busy condition is detected, a call is sent via the WAN, and a message is sent to the wireless communication unit.

In view of the foregoing, the present invention is directed to an apparatus and method of routing calls depending on the status of a local loop. The gateway connects to both a WAN and the local loop. If the local loop is not busy, an incoming call to the

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gateway is routed via the local loop, which makes the local loop busy. If the local loop is busy, then an incoming call is routed via the WAN. In this way, the call does not receive a busy signal if the local loop is busy.

Greaney is directed to an integrated voice/data telecommunication system that includes a device that has a single interface to a PSTN central office referred to as central office trunks or alternately local loop. This interface represent access to a public WAN. All traffic to and from the public network is delivered via this interface. Greaney also provides a connection to a private IP network that may accommodate route IP data traffic, but the capability to interconnect with the Internet is outside the apparatus described by Greaney. The Greaney apparatus is a remote switching element that provides a circuit switch time division multiplexed matrix that supports voice and data traffic. Voice and data traffic can be routed to the PSTN, to an in-building private IP network, to wired, and wireless and data terminals. Greaney teaches the local switching of traffic. Greaney does not teach the ability to alter call routing between these different networks for incoming traffic to the wireless communication unit associated with the apparatus.

The Final Office Action points to sections of Greaney discuss alert management with respect to the rejections of claims 6, 8 and 17-18. These sections do not provide many, if any, details about alert management and call routing. After a long discussion of the configuration of the disclosed cage and the various cards positioned therein, column 8, lines 41-51 discusses alerts being sent to the various active and inactive subscriber units that are associated with the cage. Moreover, column 10, lines 45-64 discuss that an alert management card can be used. The alert management can include "initiation of SU alerting associated with call delivery, in response of an incoming call service request from a line interface peripheral" Greaney, however, does not provide any specific details about how the alert management or call routing operates in connection with the cage. While Greaney does provide a cage that may permit calls to be routed via a local loop or a WAN, there are no details about the conditions under which a call is routed via the local loop or the WAN and the preferences associated with when a call is routed via the local loop or the WAN. These are the details of the present invention as found in the claims.

Trossen is cited for its teachings regarding forwarding a message via a WAN corresponding to call routing when the association a wireless communication unit

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changes. Trossen's invention provides a relocation of content sources that provide media content to a mobile terminal when a network layer-level handoff occurs. The relocation of content resources enables the mobile terminal to seamlessly execute an application that utilizes the media content source before the handoff and from a new content source after the handoff. Paragraph [0002] provides background information about IP-layer connectivity as a mobile terminal undergoes a handoff. Even if Trossen teaches forwarding a message when a wireless communication unit changes, Trossen teaches details about handoff, which is focused on passing wireless communication calls between base stations. This is wholly different from the present invention that is directed to routing calls in a gateway between different networks. Thus, Applicants respectfully submit that Trossen does not provide any teachings regarding the present invention and routing a call between a local loop and a WAN depending on the busy condition of the local loop. Furthermore and in the context of the present invention, one of ordinary skill in the art would not combine any teachings from Trossen, which focuses on handoff, with that of Greaney.

In view of the foregoing, Applicants respectfully submit that Greaney and Trossen do not disclose, teach or otherwise suggest the present invention as defined in independent claims 1 and 12. In particular, Greaney and Trossen do not provide any details on routing of calls at a gateway between a local loop and a WAN depending on the busy condition of the local loop. It is therefore submitted that claims 1 and 12 are patentable over the cited combination. As claim 2-3, 5, 7 and 9-10 depend upon and include the limitations claim 1 and claims 13-14 and 19-20 depend upon and include the limitations of claim 12, it is submitted that that these dependent claims are also patentable over Greaney and Trossen. Applicants respectfully requested that this rejection under Section 103(a) be withdrawn.

Claims 4 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Greaney in view of Trossen and further in view of United States Patent No. 6,856,598 to Stanfield. Claim 4 depends upon amended claim 1 and claim 15 depends upon amended claim 12. Thus, Applicants earlier arguments with respect to Greaney and Trossen apply here too. Furthermore, Standfield does not provide and details on the call routing between a local loop and WAN depending on the condition of the local loop. The

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Final Office Action cites *In re Kelly* to state that Applicants earlier arguments regarding Stanfield are inappropriate. In this response, Applicants state the combination of references fail to disclose, teach or otherwise suggest a feature of the invention as described in the independent claim upon which the rejected dependent claim is based. Thus, it is respectfully submitted that the combination of Greaney, Trossen and Stanfield does not disclose, teach or otherwise suggest the invention claimed in claims 4 and 15. It is therefore submitted that Greaney, Trossen and Stanfield do not render claims 4 and 15 obvious. Applicants respectfully request that this rejection under Section 103(a) be withdrawn.

Claims 11 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Greaney in view of Trossen and further in view of United States Patent No. 6,650,901 to Schuster et al. Claim 11 depends upon amended claim 1 and claim 21 depends upon amended claim 12. Like Greaney, Trossen and Stanfield, Schuster does not disclose call routing between a local loop and a WAN depending on the condition of the local loop. Thus, it is respectfully submitted that the cited combination does not disclose, teach or otherwise suggest the invention claimed in claims 11 and 21. It is therefore submitted that Greaney, Trossen and Schuster do not render claims 11 and 21 obvious. Applicants respectfully request that this rejection under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

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Respectfully submitted,
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